

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

KEVIN L. DICKENS,	:
	:
Plaintiff,	:
	:
v.	: C.A. No. 04-201 JJF
	:
COMMISSIONER STAN TAYLOR,	: JURY TRIAL REQUESTED
et al.,	:
	:
Defendants.	:

ORDER

WHEREAS, Plaintiff Kevin L. Dickens is appearing in this matter pro se and the Court finds that Plaintiff is unable to afford counsel and, pursuant to 28 U.S.C.A. §1915(e)(1), "[t]he Court may request an attorney to represent any person unable to afford counsel;"

WHEREAS, on February 28, 2008, the Court ordered Defendant First Correctional Medical, Inc. to retain new counsel, and stated that a failure to comply with the Court's Order by May 21, 2008 would be considered a failure to defend (D.I. 82);

WHEREAS, Defendant has not complied with the Court's February 28, 2008 Order;

WHEREAS, during a Hearing to Show Cause held on May 21, 2008, a default judgment against Defendant was entered in open court in this action, and an additional hearing is necessary to determine Plaintiff's damages, if any;

WHEREAS, the Court having determined the procedural

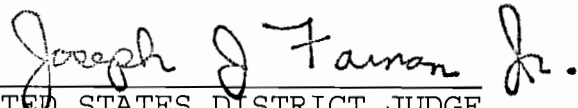
complexity of this case warrants the appointment of counsel for Plaintiff;

WHEREAS, during the Hearing to Show Cause, State Defendants made an application to file an amended answer;

NOW THEREFORE, IT IS HEREBY ORDERED that:

1. The Clerk of this Court shall present this Request for Representation to the Federal Civil Panel of the Court to determine if an attorney is available to represent Plaintiff;
2. The Standing Order of the Court regarding the establishment of the Federal Civil Panel and the provisions of said Order are incorporated herein by reference;
3. State Defendants' application to file an amended answer is GRANTED, and State Defendants have ten days within which to file their amended answer;
4. State Defendants shall provide to Plaintiff and the Court a copy of the State of Delaware's contract with First Correctional Medical-Delaware, LLC.

May 23, 2008


UNITED STATES DISTRICT JUDGE